

DATE October 25, 2011
LOCATION Beaumont
JUDGE Keith F. Giblin
DEPUTY CLERK Kyla Dean
RPTR/ECRO Kyla Dean
USPO Mark Goforth
INTERPRETER _____
BEGIN 2:04 pm

CASE NUMBER 1:11-cr-88-2(MC)

USA John Craft Assigned
VS John Craft Appeared

JAMES JEROME GOUDEAU

Defendant

DOUGLAS BARLOW

Attorney

☐ INITIAL APPEARANCE ☐ . . . PRELIMINARY HRG ☐ . . REMOVAL HRG ☐ . . IDENTITY HRG
☒ SUBSEQUENT INITIAL APPEARANCE ON: INDICTMENT
☐ . . . DETENTION HRG ☐ EVIDENTIARY HRG ☐ BOND HRG
☐ NEBBIA HRG ☐ other _____

☒ Hearing Held ☐ Hearing Called
☐ Dft ☐ Prob violator ☐ Super Rel violator appears: ☐ with ☐ w/o cnsl ☐ pro se ☐ Cnsl appears on behalf of deft
Appears on: ☐ Complaint ☒ Indictment ☐ Information ☐ Violation of probation ☐ Violation of release

☐ Dft files Waiver of Indictment; ☐ Dft advised of right to grand jury consideration
☐ Information (felony) ☐ Information (misdemeanor) ☐ Information (sealed)
☐ Indictment unsealed ☐ Information unsealed ☐ Complaint unsealed
☐ Date of arrest: _____ or ☐ Rule 5(c) (dist & case #) _____

☒ . . . Dft ☒ advised of charges ☒ advised of maximum penalties ☒ advised of right to remain silent;
☒ advised of right to counsel ☐ advised of right to Prel. Hrg. ☐ advised of right to waive Prel. Hrg.
☐ . . Waiver of Preliminary Exam/Hearing ☐ Waiver of Rule 5(c) Hearings ☐ Advised of Rule 20

☒ Dft first appearance with counsel ☒ CJA ☐ Retained ☐ USPD

☐ Dft advises the Court that he/she ☐ has counsel who is _____ or, ☐ will hire counsel.

☐ If dft cannot retain counsel, the court is to be advised within _____ days so counsel may be appointed.

☐ Dft Requests appointed counsel, is sworn & examined re: financial status.

☒ **Financial affidavit is adopted from arresting district.** The court finds the defendant ☐ able ☒ unable to employ counsel.

☐ CJA Panel Attorney _____ appointed ☐ U.S. Pub Defender _____ appointed

☐ Add Attorney _____ Voucher # _____

☐ Gvt motion for detention ☐ Gvt m/continue detention hrg. ☐ Order granting m/ continue of detention hrg.

☐ Dft bond ☐ set ☐ reset to \$ 50,000 ☐ cash ☐ surety ☐ 10 % ☐ PR ☐ unsecured

☐ Bond continued ☐ previous bond \$ _____ type _____ ☐ other case No. _____

☐ Order setting conditions of release ☐ Bond executed, dft released; ☐ Not executed at this time

☐ Dft ordered to answer in prosecuting district ☐ State Charges ☐ Commitment to Another District

☒ Order of Detention ☐ Temp Detention Pending Hearing

☐ Dft remanded to custody of U.S. Marshal; ☐ Dft ordered removed to Originating District ☐ Def remained released on conditions

☐ Notice of Hearing ☒ Dft consented to be detained.

☐ Detention Hrg set for _____ ☐ Revocation Hrg set for _____

☐ Arraignment set for _____ ☐ Removal Hrg set for _____

☐ Bond hrg set for _____ ☐ Preliminary Exam set for _____

☐ Identity Hrg set for _____ ☐ Court finds probable cause ☐ exists ☐ does not exist

☐ Dft Oral Motion _____ ☐ Oral Court Order _____

☐ Gvt Oral Motion _____ ☐ Oral Court Order _____

☐ Dft failed to appear ☐ Oral order for arrest warrant; ☐ bond forfeited

☐ Exhibit List ☐ Witness List ☒ Minutes Filed

☐ Attorney advised to file Application for Pro Hac Vice and instructed on procedure.

CRIM 92-116

☒ See reverse/attached for additional proceedings

_____ Adjourn

Total Court Time _____

✓ Arraignment on: ☐ INFORMATION ☒ INDICTMENT ☐ RULE 20
held on counts ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12
✓ all counts; other counts _____

✓ Dft ☐ Prob violator ☐ Super Rel violator appears: ✓ with ☐ w/o cnsl ☐ pro se ☐ Cnsl appears on behalf of deft

✓ Dft first appearance with counsel ✓ CJA

☐ RETAINED

☐ USPD

✓ . . . Dft

✓ sworn

✓ physically/mentally ready

✓ name spelled

✓ received copy of charges

✓ discussed charges with counsel

✓ charges read

✓ waived reading of charges;

✓ No pressure to plead

☐ advised of alternate sentencing under Youth Corrections Act;

☐ Consent to trial before U.S. Magistrate Judge

☐ Consent to plea before U.S. Magistrate Judge

✓ Dft enters a plea of: ✓ (not guilty) ☐ (guilty) ☐ (nolo) ☐ (guilty - lesser)

to counts: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12

✓ all counts; other counts _____

☐ Factual Basis Established

☐ Court finds plea voluntary, knowledgeable & that it has a basis in fact.

☐ Plea Agreement accepted ☐ Plea agreement rejected

☐ Plea agreement received in evidence _____

☐ Plea agreement filed (*sealed*)

✓ Discovery order entered. Dft has 30 days or until _____ to file motions not covered by this order;

Gvt has 10 days or until _____ to respond.

☐ Sentencing deferred for pre-sentence investigation.

☐ Sentencing set for _____ before Judge _____

✓ Jury selection & trial set for **December 19, 2011 at 10:00 am** before Judge **Crone**

☐ Oral Government motion _____ ☐ Oral Court Order _____

☐ Oral Defendant motion _____ ☐ Oral Court Order _____

✓ Defendant remanded to custody USM

☐ Dft Released on Bond

✓ Minutes filed

OTHER PROCEEDINGS: _____

ADJOURN 2:21 pm

Total Court Time 17 minutes